

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 951

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CAUTHORN.

Read 1st time January 25, 2006, and ordered printed.

Read 2nd time January 30, 2006, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee March 2, 2006, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 27, 2006. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

4670S.01P

AN ACT

To repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to revenues generated by moving traffic violations.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 302.341, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 302.341, to read as follows:

302.341. 1. If a Missouri resident charged with a moving traffic violation
2 of this state or any county or municipality of this state fails to dispose of the
3 charges of which he **or she** is accused through authorized prepayment of fine and
4 court costs and fails to appear on the return date or at any subsequent date to
5 which the case has been continued, or without good cause fails to pay any fine or
6 court costs assessed against him **or her** for any such violation within the period
7 of time specified or in such installments as approved by the court or as otherwise
8 provided by law, any court having jurisdiction over the charges shall within ten
9 days of the failure to comply inform the defendant by ordinary mail at the last
10 address shown on the court records that the court will order the director of
11 revenue to suspend the defendant's driving privileges if the charges are not
12 disposed of and fully paid within thirty days from the date of
13 mailing. Thereafter, if the defendant fails to timely act to dispose of the charges
14 and fully pay any applicable fines and court costs, the court shall notify the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

15 director of revenue of such failure and of the pending charges against the
16 defendant. Upon receipt of this notification, the director shall suspend the
17 license of the driver, effective immediately, and provide notice of the suspension
18 to the driver at the last address for the driver shown on the records of the
19 department of revenue. Such suspension shall remain in effect until the court
20 with the subject pending charge requests setting aside the noncompliance
21 suspension pending final disposition, or satisfactory evidence of disposition of
22 pending charges and payment of fine and court costs, if applicable, is furnished
23 to the director by the individual. Upon proof of disposition of charges and
24 payment of fine and court costs, if applicable, and payment of the reinstatement
25 fee as set forth in section 302.304, the director shall reinstate the license. The
26 filing of financial responsibility with the bureau of safety responsibility,
27 department of revenue, shall not be required as a condition of reinstatement of
28 a driver's license suspended solely under the provisions of this section. If any
29 city, town, or village receives more than ~~[forty-five]~~ **thirty-five** percent of its
30 ~~[total]~~ annual **general operating** revenue from fines **and court costs** for
31 traffic violations occurring on state highways, all revenues from such violations
32 in excess of ~~[forty-five]~~ **thirty-five** percent of the ~~[total]~~ annual **general**
33 **operating** revenue of the city, town, or village shall be sent to the director of the
34 department of revenue and shall be distributed annually to the schools of the
35 county in the same manner that proceeds of all penalties, forfeitures and fines
36 collected for any breach of the penal laws of the state are distributed. For the
37 purpose of this section the words "state highways" shall mean any state or federal
38 highway, including any such highway continuing through the boundaries of a city,
39 town or village with a designated street name other than the state highway
40 number.

41 **2. If any city, town, or village fails to send such excess revenues**
42 **to the director of the department of revenue in a timely fashion which**
43 **shall be set forth by the director by rule, such city, town, or village**
44 **shall submit to an annual audit by the state auditor pursuant to the**
45 **authority of Article IV, Section 13 of the Missouri Constitution. No rule**
46 **or portion of a rule promulgated pursuant to the authority of this**
47 **section shall become effective unless it has been promulgated pursuant**
48 **to chapter 536, RSMo.**